

Amendment and Response

Applicant: Thane M. Larson et al.

Serial No.: 09/923,880

Filed: August 7, 2001

Docket No.: 10012570-1

Title: SERVER SYSTEM WITH MULTIPLE MANAGEMENT USER INTERFACES

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed July 14, 2004. In that Office Action, the Examiner objected to claims 5 and 14 due to minor informalities.

Claims 1-3, 6-8, 10, 11, 13, 15-17, 19, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hong et al., U.S. Patent No. 6,091,737 ("Hong") in view of Spahr et al., U.S. Patent No. 5,325,287 ("Spahr"). Claims 4, 5, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hong and Spahr, and further in view of Moss et al., U.S. Patent No. 6,144,549 ("Moss"). Claims 9 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hong and Spahr, and further in view of an Internet Newsgroup posting ("Jakacki").

With this Response, claim 15 has been cancelled, claim 21 has been added, and claims 4, 5, 11, 12, 14, 16, and 20 have been amended. Claims 1-14 and 16-21 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

The Examiner objected to claims 5 and 14 due to minor informalities. With this Amendment, Applicant has amended claims 5 and 14 and deleted the letter "a" as suggested by the Examiner. Applicant respectfully requests removal of the objection to claims 5 and 14.

35 U.S.C. §103 Rejections

The Examiner rejected claims 1-3, 6-8, 10, 11, 13, 15-17, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over Hong et al., U.S. Patent No. 6,091,737 ("Hong") in view of Spahr et al., U.S. Patent No. 5,325,287 ("Spahr"). Independent claim 1 includes the limitation "the server management card including a plurality of interfaces for configuring the server management card and accessing the stored status information from the server management card." Regarding claim 1, the Examiner acknowledged that "Hong et al do not disclose about a plurality of interfaces for configuring the server management card and accessing the stored status information from the server management card." (Office Action at para. no. 6, page 3). The Examiner further stated that "[h]owever, Spahr et al expressly

Amendment and Response

Applicant: Thane M. Larson et al.

Serial No.: 09/923,880

Filed: August 7, 2001

Docket No.: 10012570-1

Title: SERVER SYSTEM WITH MULTIPLE MANAGEMENT USER INTERFACES

disclose of having two display/operator interfaces to manage/configure/monitor a machine controller of a system [Fig. 8; col. 15, lines 29-58] and data transmit back and forth [col. 3, lines 5-19].” (Office Action at para. no. 6, page 3).

Spahr is not analogous art. Spahr is not in the field of endeavor of the present invention, nor is this reference reasonably pertinent to the particular problem with which the invention was concerned. See, MPEP § 2141.01(a). Spahr is not in the field of “server systems” (see, e.g., The Field of the Invention section, and claims, of the present application). Rather, Spahr is directed to a control system for an injection molding machine. (See, e.g., Spahr at Abstract; col. 1, lines 16-19; and col. 4, lines 48-52). Spahr is also not reasonably pertinent to the particular problem with which the invention was concerned, such as the problems identified in the Background of the Invention section of the present application.

There is also no suggestion to combine the cited references. The Federal Circuit has stated “[i]n holding an invention obvious in view of a combination of references, there must be some suggestion, motivation, or teaching in the prior art that would have led a person of ordinary skill in the art to select the references and combine them in the way that would produce the claimed invention.” *Karsten Manufacturing Corp. vs. Cleveland Golf Co.*, 58 U.S.P.Q.2d 1286, 1293 (CAFC 2001). Hong is directed to a remote communications server system (see, e.g., Hong at Abstract), and includes no teaching or suggestion that the server system disclosed therein could or should be modified to include “two display/operator interfaces”, as suggested by the Examiner, from a control system for an injection molding machine, such as that disclosed in Spahr. Spahr includes no teaching or suggestion that the injection molding machine control system disclosed therein, or any part of this system, could or should be used in a server system, such as that disclosed in Hong. There is no suggestion to combine Hong and Spahr in any manner, let alone in a manner that would produce the claimed invention.

In view of the above, Applicant respectfully traverses the rejection of claim 1, requests removal of the rejection of claim 1 under 35 U.S.C. § 103(a), and requests allowance of this claim. Since dependent claims 2, 3, 6-8, and 10 further limit patentably distinct claim 1, these dependent claims are believed to be allowable over the cited references. Allowance of claims 2, 3, 6-8, and 11 is respectfully requested.

Amendment and Response

Applicant: Thane M. Larson et al.

Serial No.: 09/923,880

Filed: August 7, 2001

Docket No.: 10012570-1

Title: SERVER SYSTEM WITH MULTIPLE MANAGEMENT USER INTERFACES

Independent claim 11 includes the limitations “providing a management card in the server system including a plurality of user interfaces”, “receiving the status information from the management card via one of the plurality of user interfaces”, and “transmitting configuration information through one of the plurality of user interfaces to the management card”. Regarding independent claim 11, the Examiner stated that “Hong et al do not disclose about a plurality of interfaces for configuring a management card; receiving the status information from the management card via one of the plurality of user interfaces; and transmitting configuration information through one of the plurality of user interfaces to the management card. However, Spahr et al expressly disclose of having two display/operator interfaces to manage/configure/monitor a machine controller of a system [Fig. 8; col. 15, lines 29-58] and data transmit back and forth [col. 3, lines 5-19].” (Office Action at para. no. 13, pages 6-7). Independent claim 11, as amended, also includes the limitation “providing multiple simultaneously active connections through the plurality of user interfaces to the management card”. The Examiner stated that “Hong et al do not disclose about providing multiple simultaneously active connections through the plurality of user interfaces to the management card. However, Spahr et al clearly disclose of having a dual display/operator interfaces that can be simultaneously active [col. 15, line 29 – col. 16, line 7].” (Office Action at para. no. 14, page 7). As described above with respect to claim 1, Spahr is not analogous art, and there is no teaching or suggestion to combine Hong and Spahr. For the reasons set forth above with respect to claim 1, the Examiner also has not established a *prima facie* case of obviousness of claim 11.

In view of the above, Applicant respectfully requests removal of the rejection of claim 11 under 35 U.S.C. § 103(a), and requests allowance of this claim. Since dependent claims 13, 15-17, and 19 further limit patentably distinct claim 11, these dependent claims are believed to be allowable over the cited references. Allowance of claims 13, 15-17, and 19 is respectfully requested.

Independent claim 20 includes the limitation “a plurality of user interfaces for allowing a user to access the server management card, configure the server management card, and access the stored status information”. Regarding independent claim 20, the Examiner stated that “Hong et al do not disclose about a plurality of interfaces for configuring the server management card and accessing the stored status information from the server

Amendment and Response

Applicant: Thane M. Larson et al.

Serial No.: 09/923,880

Filed: August 7, 2001

Docket No.: 10012570-1

Title: SERVER SYSTEM WITH MULTIPLE MANAGEMENT USER INTERFACES

management card. However, Spahr et al expressly disclose of having two display/operator interfaces to manage/configure/monitor a machine controller of a system [Fig. 8; col. 15, lines 29-58] and data transmit back and forth [col. 3, lines 5-19].” (Office Action at para. no. 16, page 8). As described above with respect to claim 1, Spahr is not analogous art, and there is no teaching or suggestion to combine Hong and Spahr. For the reasons set forth above with respect to claim 1, the Examiner also has not established a *prima facie* case of obviousness of claim 20.

In addition, independent claim 20, as amended, includes the limitation “the plurality of user interfaces including a LAN interface configured to be coupled to management LAN connections of the plurality of cards and to a management LAN.” Hong and Spahr, either alone or in combination, do not teach or suggest this limitation of independent claim 20.

In view of the above, Hong and Spahr, either alone or in combination, do not teach or suggest each and every limitation of independent claim 20. Applicant respectfully requests removal of the rejection of claim 20 under 35 U.S.C. § 103(a), and requests allowance of this claim. In addition, newly submitted dependent claim 21 further limits patentably distinct claim 20, and is believed to be allowable over the cited references. Allowance of dependent claim 20 is respectfully requested.

The Examiner rejected claims 4, 5, 12, and 14 under 35 U.S.C. §103(a) as being unpatentable over Hong and Spahr, and further in view of Moss et al., U.S. Patent No. 6,144,549 (“Moss”). Claims 4, 5, 12, and 14 have been amended herein to clarify the invention recited in these claims. Claims 4 and 5 are dependent on independent claim 1. Claims 12 and 14 are dependent on independent claim 11. As mentioned above, the Examiner has acknowledged that “Hong et al do not disclose about a plurality of interfaces for configuring the server management card and accessing the stored status information from the server management card.” (Office Action at para. no. 6, page 3). Moss also does not teach or suggest “the server management card including a plurality of interfaces for configuring the server management card and accessing the stored status information from the server management card” as recited in independent claim 1, or “providing a management card in the server system including a plurality of user interfaces” as recited in independent claim 11. Also, as described above with respect to claim 1, Spahr is not analogous art, and there is no suggestion to combine Spahr with Hong. For the reasons set forth above with respect to

Amendment and Response

Applicant: Thane M. Larson et al.

Serial No.: 09/923,880

Filed: August 7, 2001

Docket No.: 10012570-1

Title: SERVER SYSTEM WITH MULTIPLE MANAGEMENT USER INTERFACES

claim 1, there is also no suggestion to combine Spahr with Moss. In view of the above, dependent claims 4, 5, 12, and 14, which further limit patentably distinct claim 1 or claim 11, are believed to be allowable over the cited references. Allowance of claims 4, 5, 12, and 14 is respectfully requested.

The Examiner rejected claims 9 and 18 under 35 U.S.C. §103(a) as being unpatentable over Hong and Spahr, and further in view of an Internet Newsgroup posting ("Jakacki"). Claim 9 is dependent on independent claim 1. Dependent claim 18 is dependent on independent claim 11. As mentioned above, the Examiner has acknowledged that "Hong et al do not disclose about a plurality of interfaces for configuring the server management card and accessing the stored status information from the server management card." (Office Action at para. no. 6, page 3). Jakacki also does not teach or suggest "the server management card including a plurality of interfaces for configuring the server management card and accessing the stored status information from the server management card" as recited in independent claim 1, or "providing a management card in the server system including a plurality of user interfaces" as recited in independent claim 11. Also, as described above with respect to claim 1, Spahr is not analogous art, and there is no suggestion to combine Spahr with Hong. In view of the above, dependent claims 9 and 18, which further limit patentably distinct claim 1 or claim 11, are believed to be allowable over the cited references. Allowance of claims 9 and 18 is respectfully requested.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-14 and 16-21 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-14 and 16-21 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either David A. Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854 or Jeff A.

Amendment and Response

Applicant: Thane M. Larson et al.

Serial No.: 09/923,880

Filed: August 7, 2001

Docket No.: 10012570-1

Title: SERVER SYSTEM WITH MULTIPLE MANAGEMENT USER INTERFACES

Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Thane M. Larson et al.

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-0178
Facsimile: (612) 573-2005

Date: 10/13/04
JAH:jmc

Jeff A. Holmen
Jeff A. Holmen
Reg. No. 38,492

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of October, 2004.

By Jeff A. Holmen
Name: Jeff A. Holmen